

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ROCKSTAR CONSORTIUM US LP AND
MOBILESTAR TECHNOLOGIES, LLC

Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC, GOOGLE INC.,

Defendants.

Civil Action No. 13-cv-0900-JRG

JURY TRIAL DEMANDED

DECLARATION OF ABEER DUBEY
IN SUPPORT OF DEFENDANTS' MOTION TO STAY OR, IN THE ALTERNATIVE,
TO TRANSFER TO THE NORTHERN DISTRICT OF CALIFORNIA

I, Abeer Dubey, declare under 28 U.S.C. § 1746:

1. I am an employee of Google Inc. ("Google") and I work at Google's headquarters in Mountain View, California. I have been a Google employee since 2006.

2. I provide this declaration in support of Google's motion to transfer venue to the United States District Court for the Northern District of California. I submit this declaration based upon my knowledge of the corporate structure of Google and my investigation of the location of witnesses and evidence relevant to Google's development of the Android platform.

3. The Complaint accuses Google of directly and indirectly infringing certain claims of United States Patent Nos. 6,037,937, 6,463,131, and 6,765,591. I have made efforts to identify the location of persons with relevant technical knowledge about the accused instrumentalities, as well as the location of persons with relevant business and financial information. I have also made efforts to identify the location of documents and other evidence relevant to this action. As discussed below, the Northern District of California is a significantly more convenient forum than the Eastern District of Texas for most Google witnesses likely to testify in this action, and all relevant documents and evidence are accessible from Google's headquarters in the Northern District.

4. Google has been headquartered in the Northern District of California since its founding in 1998. Since 2003, it has been headquartered in Mountain View, California, in the Northern District of California.

5. Prior to its acquisition by Google in 2005, Android Inc. was headquartered in Palo Alto, California, in the Northern District of California. Since acquiring Android Inc., Google has principally developed the Android platform at Google's headquarters in Mountain View.

Google's ongoing development efforts, operations, and records regarding Google's Android platform are also predominantly based in Mountain View.

6. Google's Mountain View headquarters is the strategic center of Google's business. Google's Chief Executive Officer and Executive Chairman are based in Mountain View, California. Decisions related to Google's overall business are made in Mountain View, California, including most significant engineering, sales, and marketing decisions related to Google's Android platform.

7. Google engineers with relevant technical knowledge of the Android platform are also predominantly located in Mountain View, as are Google employees familiar with the business and financial aspects of the Android platform and Google's Nexus products.

8. As of January, 2014, there are approximately 850 people in the group that develops the Android platform. Of these, over 200 are outside of the United States. Of the approximately 630 United States-based employees in this group, more than 85% work in the San Francisco Bay Area. This group is led by Hiroshi Lockheimer, Vice President of Engineering, who works in Mountain View, California.

9. Jon Gold, a Finance Manager with knowledge of financial information related to Google's Android platform, works in Mountain View, California.

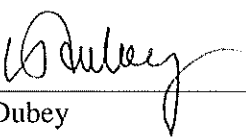
10. In April 2012, Google opened a small office to house temporarily a handful of employees in Frisco, Texas. None of the employees at this location worked on the Android platform. This temporary office has been vacant since November 2013. All Google hardware was removed from the temporary office in December 2013. Google now has no offices or facilities in the Eastern District of Texas. Google does maintain a small office in Austin, Texas, in the Western District of Texas. The Google employees in the Austin office are not involved

with the development or management of the work on any of the accused instrumentalities identified in the Complaint, and are instead predominantly involved with Google's enterprise sales group.

11. I have investigated this issue, and am currently aware of no Google employees with relevant knowledge regarding any of the accused instrumentalities identified in the Complaint working in Google's facilities in Texas or in the Eastern District of Texas. I am also aware of no Google employees that work on Android in the Eastern District of Texas.

12. All or nearly all of the documents related to Google's Android platform are located in Mountain View, California, or are stored on Google's secure servers, which are accessible and managed from Mountain View. These documents include technical documents related to Google's Android platform, as well as documents related to Google's operations, marketing, financials, and customer-service concerning these products.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 20, 2014, in Mountain View, California.



Abeer Dubey

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on March 21, 2014.

/s/ J. Mark Mann

J. Mark Mann